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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/724,845
Filing Date: December 01, 2003
Appellant(s): WISNIEWSKI ET AL.

Mark F. Harrington
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 28, 2009 appealing from the Office action

mailed July 30, 2009.

(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 1-36.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to

be reviewed on appeal. Every ground of rejection set forth in the Office action from which the

appeal is taken (as modified by any advisory actions) is being maintained by the examiner except

for the grounds of rejection (if any) listed under the subheading "WITHDRAWN

REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW

GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the

Appendix to the appellant's brief.

(8) Evidence Relied Upon

2002/0095454	REED et al	7-2002
2004/0030741	WOLTON et al	2-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14 and 16-36 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. PGPUB 2002/0095454 to Reed.

As concerns claim 1, a communication system comprising: a database (0090-database 11; 32) configured to store communication tag information of a task tag; and a database agent (0031-0035;0090-0094) configured to determine if a communication has the task tag, wherein the database agent is configured to transfer predetermined communication tag information of the task tag of the communication to the database, and wherein the database agent is configured to automatically send a communication based upon information stored in the predetermined communication tag information (abstract;0090-0094).

As concerns claim 2, a communication system as in claim 1 wherein the communication comprises an email (0090) and the database agent configured to determine if the email has a task tag.

As concerns claim 3, communication system as in claim 1 wherein the task tag comprises a task topic and a task reminder (0180), and wherein the database agent is configured to transfer the task reminder to the database.

As concerns claim 4, a communication system as in claim 3 wherein the database agent (0031-0035; 0090-0094) is configured to transfer the task topic to the database with the task reminder.

As concerns claim 5, a communication system as in claim 3 wherein the database agent (0031-0035; 0090-0094; 0137-notification) is configured to store the task reminder in the database corresponding to a task topic already stored in the database.

As concerns claim 6, a communication system as in claim 1 wherein the database agent (0031-0035; 0090-0094) is configured to generate a report based upon communication tag information stored in the database.

As concerns claim 7, a communication system as in claim 6 wherein the database agent (0031-0035; 0090-0094) is configured to automatically generate the report based upon a predetermined event.

As concerns claim 8, a communication system as in claim 6 wherein the database agent (0031-0035; 0090-0094) is adapted to generate the report based upon a request submitted by a user.

As concerns claim 9, a communication system as in claim 1 wherein the communication tag information comprises an importance factor (0294,0318-preference,0322), and wherein the database agent is configured to prioritize at least a portion of the communication tag information based upon the importance of factors of the communication tag information stored in the database.

As concerns claim 10, a communication system as in claim 1 wherein the database agent (0031-0035; 0090-0094) is configured to automatically obtain information relating to the communication tag information from a remote computer.

As concerns claim 11, a communication system as in claim 1 wherein the database agent (0031-0035; 0090-0094) is configured to collate at least a portion of the communication tag information stored in the database.

As concerns claim 12, a communication system as in claim 1 wherein the communication tag information comprises a deliverable/project tag information (0439), and wherein the database agent is configured to transfer deliverable/project tag information of the task tag of the communication to the database.

As concerns claim 13, a method for automatically tracking progress of a task on a computer network consisting of one or more users on a plurality of computer systems, the method comprising step of: tagging a communication to be delivered between the computer systems over the network to form a tagged communication (0090-email; 0031-0035; 0090-0094-communications include information such as metadata tagging communication for information concerning updated information); and acting on the tagged communication automatically by a database agent (0031-0035; 0090-0094).

As concerns claim 14, a method as in claim 13 where the tagged communication includes an electronic mail communication (email) (0090).

As concerns claim 16, a method as in claim 13 where the tagged communication includes a telephone message converted to electronic communication with the use of voice-recognition software (0536; 0090 and 0283-voice mail).

As concerns claim 17, a method as in claim 13 wherein the step of acting involves storing the task in the database (0090).

As concerns claim 18, a method as in claim 13 where the step of acting involves updating information about the task in the database (0090).

As concerns claim 19, a method as in claim 13 where the step of acting involves generating a report (0408,0409).

As concerns claims 20 and 22, a method as in claim 13 where the users are selected from a group consisting of individuals (users are inherently individuals), collaborators, team leaders and managers.

As concerns claim 21, a method as in claim 13 wherein the users include other computer programs, and wherein the other computer programs produce data including computer usage at a present or remote site (inherent for computer programs to produce data in view of computer usage), manufacturing yield, or customer purchasing patterns.

As concerns claim 23, a method as in claim 13 wherein an importance of the task on the tag is set and negotiated by the users (0294, 0318, 0322).

As concerns claim 24, a method as in claim 13 wherein a time duration (0398-time intervals) of the task on the tag is set and negotiated by the users.

As concerns claim 25, a method as in claim 13 wherein the step of acting involves merging communications from various tasks into one communication for a single task (0520).

As concerns claim 26, a method as in claim 13 wherein the step of acting involves separating communications from one task into several communications for separate tasks (0519-multiuser database).

As concerns claim 27, a method as in claim 13 wherein the step of acting involves monitoring a task deadline (0398) and being proactive in sending communication to humans and computers participating in the task (0318).

As concerns claim 28, a method as in claim 13 wherein tag properties on the communication include time to task completion, task progress, task topic, reminder interval, and collaborator type (0398).

As concerns claim 29, a method as in claim 13 wherein choices for tagging the communication include a tag property of a task progress which selected from a group consisting of previous, new, in-progress, complete, other (0090-other which can be anything).

As concerns claim 30, a method as in claim 13 wherein choices for tagging the communication include a tag property of a collaborator type which can be selected from a group consisting of individual (users tagged), collaborator, team leader, manager, senior manager, vice-president, CEO, CIO, contractor.

As concerns claim 31, a method as in claim 13 wherein permissions may be associated with the task restricting viewing of the task only to users with appropriate access credentials (0357-ID).

As concerns claim 32, a method as in claim 13 wherein the step of tagging a communication comprises adding deliverable/project information and task information to the communication (0090-0093).

As concerns claim 33, a system for tracking tasks comprising: a communication system (network) configured to attach a task tag to a communication; and a tracking system (0090) separate from a communication sending computer and a communication receiving computer (fig.

1) which is configured to automatically enter predetermined information of the task tag of the communication into a database (0090).

As concerns claim 34, a method of tracking tasks comprising: sending a communication (0031-0035;0090-0094); attaching a task tag (0090; 0180; 0093) to the communication; recording, by an automatic database agent (0031,0090-program), at least a portion of data in the task tag into a database (0090); and automatically sending a communication by the automatic database agent based, at least partially, on the data in the task tag.

As concerns claim 35, a program storage device readable by a machine, tangibly embodied in a program of instructions executable by the machine to perform method steps for tracking tasks, the method comprising steps of: searching a first communication to determine if the first communication has a task tag (0090;0177-0183;0093), the task tag comprising a task topic and a task progress; and automatically sending a second communication by an automated database agent (0031,0090-program) based upon data in the task tag.

As concerns claim 36, a program storage device readable by a machine, tangibly embodied in a program of instructions executable by the machine to perform method steps for tracking tasks, the method comprising steps of: creating a communication (0090-email); and attaching a task tag (0090;0177-0183;0093) to the communication comprising a task topic and a task progress.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PGPUB

2002/0095454 to Reed in view of U.S. Patent No. 2004/0030741 to Wolton et al.

Reed et al. '454 do not explicitly disclose an instant electronic message (IM).

Wolton et al. teach instant messaging (abstract-last 4 lines).

It would have been obvious to one having ordinary skill in the art at the time of the

invention to provide instant messaging, as taught by Wolton et al., in order to provide a means

of communicating quicker. Such a modification is merely a combination of known elements

providing expected results.

(10) Response to Argument

Claim 1

As concerns claim 1, the appellant argues Reed et al. do not disclose at paragraphs 0031

and 0090: a database agent:

configured to determine if a communication has a task tag;

configured to transfer predetermined communication tag information of the task tag of

the communication to the database;

and configured to automatically send a communication based upon information stored in

the predetermined communication tag information.

The Examiner disagrees since Reed et al. disclose a database agent at least at paragraph

0031- a provider program and 0032-a consumer program. A computer program anticipates the

claimed "agent" since an agent by definition is a computer program. The appellant has not

defined any special definition for this term, thus one of ordinary skill in the art would recognize a computer program anticipates an agent.

The database agent of Reed et al. is configured to "determine if a communication has a task tag." Reed et al., at least at paragraph 0032, disclose wherein program/agent receives and processes transferred information and receives information to determine when information has been updated. Paragraph 0033 discloses when certain types of messages or objects are received by the program they can operate automatically to act accordingly. Therefore a determination is made for communications and action is done in accordance with the information of the communication. This information therefore satisfies as a "task tag". The term has not been given any particular definition as set forth in the claim and limitations from the specification are not read into the claim. Furthermore the appellant has not provided any evidence that the term "task tag" inherently carries a particular definition to one of ordinary skill in the art. Therefore given the broadest reasonable interpretation Reed et al. anticipates the claimed "task tag" since the information being transmitted/received accomplishes the same function set forth in the claim.

The database agent of Reed et al. is configured to "transfer predetermined communication tag information of the task tag of the communication to the database." Reed et al., at least at paragraph 0032, disclose the program will stored updated information in the database when received. Paragraph 0090 disclose the consumer program storing the updated information in the database and the information also controls communications.

The database agent of Reed et al. is configured to "automatically send a communication based upon information stored in the predetermined communication tag information." Reed et

al., at least at paragraph 0032, disclose notify a user of updated information and generate responses.

The database agent of Reed et al. at least at paragraph 0090 disclose the consumer program storing the updated information in the database and the information also controls communications, thus it is "configured to" automatically send a communication based upon information stored in the predetermined communication tag information.

The claims are given the broadest reasonable interpretation and it is the reference in its entirety that anticipate the reference.

The appellant appears to be narrowly interpreting the claimed elements and has not further defined the terms in the claim, provided evidence of its interpretation and limitations from the specification are not read into the claim.

Claim 2

The appellant argues Reed et al. do not disclose "a database agent configured to determine if the email has a task tag". Reed et al. at least at paragraph 0090, discloses the information, including change information, can be transmitted via email. Upon receipt of the information a program/agent operates upon the information. Therefore it is inherent, since it is necessarily so, that the program is "configured to" determine if the email has a task tag, since it will process the information when received, and if the information is not in the email, it will not be processed in the same way, to update the database of change information.

Claim 3

The appellant argues Reed et al. at paragraph 0180 does not disclose "the task tag comprises a task topic and a task reminder". The "task topic" and "task reminder" have not been further defined in the claim and limitations from the specification are not read into the claim. The "task topic" and "task reminder" appear to be merely labels. Reed et al., at least at 0180, disclose a header tag, provider's system ID and any group IDS or category Ids and other attributes of the communications object for transmission. Therefore any of these elements would satisfy as the labels of a "task topic" and "task reminder", which have not set forth there functionality in the claim.

Claim 4

The appellant argues Reed et al. do not disclose "a database agent configured to transfer a task topic to the database with the task reminder". The appellant further argues "the disclosure in Reed et al. is just too broad, not specific enough to be considered an anticipation of applicant's claimed features". The examiner disagrees since the applicant's claimed features are broad in scope and limitations from the specification are not read into the claim. The claims have been given the broadest reasonable interpretation. The appellant has not defined or provided any evidence of how the claimed limitations should be interpreted. The "task topic" and "task reminder" have not been further defined in the claim and limitations from the specification are not read into the claim. The "task topic" and "task reminder" appear to be merely labels. Reed et al., at least at 0180, disclose a header tag, provider's system ID and any group IDS or category Ids and other attributes of the communications object for transmission. Therefore any of these

elements would satisfy as the labels of a "task topic" and "task reminder", which have not set

forth there functionality in the claim.

Claim 5

The appellant argues Reed et al. do not disclose "a database agent configured to store a

task reminder in the database corresponding to a task topic already stored in the database". The

claims have been given the broadest reasonable interpretation and Reed et al. at least at

paragraph 0032 discloses the program/agent compares the information, which can include a "task

reminder", and compares it to the existing information to determine what has been updated. The

updated information is stored in the database. Therefore Reed et al. stores a "task

reminder"/information, which has not been given any special meaning, into a database. A "task

topic" is already stored in the database since Reed et al. uses this as a comparison for the

incoming updated information.

Claim 6

The appellant argues Reed et al. does not disclose "generating a report based upon

communication tag information stored in the database". Reed et al. at least at paragraph 0137

discloses notification when new objects arrive; paragraph 0164 and 0173 disclose reporting on

objects in the database. As stated above the claims have been given the broadest reasonable

interpretation and the "tag information" is merely information and the "objects" of Reed et al.

correspond with "tag information". Therefore Reed et al. does anticipate the claim since reports

and notifications are generated based upon objects/tag information stored in a database.

Claim 7

The appellant argues Reed et al. does not disclose "the database agent is configured to automatically generate the report based upon a predetermined event" at paragraphs 0031-0045 and 0090-0094. Reed et al. at least at paragraph 0137 discloses notification when new objects arrive; paragraph 0164 and 0173 disclose reporting on objects in the database. The claims have been given the broadest reasonable interpretation and the claimed "event" and "automatically" have not further been defined in the claim, evidence has not been provided to further define the terms and limitations from the specification are not read into the claim. Reed et al. does anticipate the claims since it discloses generating notifications and reports when new objects arrive, which satisfy as an "event". The notifications and reports are generated in response and therefore also satisfy "automatically generating". Furthermore paragraphs 0409 disclose automatic reporting, as also admitted by Appellant on page 22 of the Brief when discussing claim 19. See also paragraphs 0408-0412 which disclose reports about metadata (0411-metadata can be interpreted as "tag information") and paragraph 0412 (reporting rules and events).

Claim 8

The appellant argues Reed et al. at paragraphs 0031-0045 and 0090-0094 do not disclose the database agent is configured to "generate the report based upon a request submitted by a user". Reed et al., at least at paragraph 0032, disclose the program receives information from the provider. This amounts to a request from the user. Based upon this request the program will execute instructions and a report/notification will be generated based upon this initiation by the

user. Also, Reed et al. at paragraph 0033 disclose when certain actions are taken by the

user…programs can operate automatically…acknowledgments can be sent. An

acknowledgement can satisfy the claimed "report" as well.

The appellant appears to be narrowly interpreting the claimed elements and has not further

defined the term in the claim, provided evidence of its interpretation and limitations from the

specification are not read into the claim. Even if these paragraphs did not discuss such features in

detail, which the examiner is not expressly admitting, the appellant has not provided that the

reference in its entirety does not disclose the claimed features. The claims are given the broadest

reasonable interpretation and it is the reference in its entirety that anticipate the reference.

Claim 9

The appellant argues Reed et al. do not disclose communication tag information

comprising an importance factor, wherein the database agent is configured to prioritize at least a

portion of the communication tag information based upon the importance factor. The appellant

further argues the "preference values" disclosed by Reed et al. at paragraph 0318 do not disclose

the claimed features.

Reed et al. at paragraph 0309 discloses a current version value for an object. The current

version value satisfies as a "preference value" since it performs the same function of providing a

mechanism of prioritizing the data, since the current version value would be referenced to

determine which values are greater, and therefore would prioritize when value over another,

when updating a database.

Reed et al. at paragraph 0320 discloses the preference value, such as a preference instance, is used to filter/"prioritize" objects. Paragraph 0198 disclose assigning a notification priority to communication objects. This satisfies as an "importance factor" as well, since the object will be filtered/sorted based on this assignment when processed (see at least 0322).

The claims have been given the broadest reasonable interpretation. The appellant appears to be narrowly interpreting the claimed elements and has not further defined the term in the claim, provided evidence of its interpretation and limitations from the specification are not read into the claim.

Claim 10

The appellant argues Reed et al. at paragraphs 0031-0045 and 0090-0094 do not disclose "automatically obtain information relating to a communication tag information from a remote computer".

The examiner disagrees. Reed et al. at paragraph 0031 disclose the provider program also receives and uses information from the consumer computer. Reed et al. at paragraph 0033 discloses the programs can automatically operate and objects can be transferred to others. The objects of Reed et al. can satisfy as "communication tag information". The "communication tag information" is merely data. The claims have been given the broadest reasonable interpretation. The appellant appears to be narrowly interpreting the claimed elements and has not further defined the term in the claim, provided evidence of its interpretation and limitations from the specification are not read into the claim.

Claim 11

The appellants argue Reed et al. do not disclose "the database agent is configured to collate at least a portion of the communication tag information stored in the database".

The claims have been given the broadest reasonable interpretation and Reed et al. at least at paragraph 0032 discloses the program/agent compares the information to the existing information to determine what has been updated. Collating can be interpreted as comparing to find points of agreement or disagreement or merging to form a new element. The updating performed by Reed et al. do collate the "tag information" since new updated information is formed and stored in the database after being compared to previous data.

The claims have been given the broadest reasonable interpretation. The appellant appears to be narrowly interpreting the claimed elements and has not further defined the term in the claim, provided evidence of its interpretation and limitations from the specification are not read into the claim.

Claim 12

The appellant argues Reed et al. do not disclose "deliverable/project tag information". The examiner disagrees since Reed et al. at paragraph 0439 disclose the objects containing group or project names which satisfy the claimed "deliverable/project tag information". The claims have been given the broadest reasonable interpretation. The appellant appears to be narrowly interpreting the claimed elements and has not further defined the term in the claim, provided evidence of its interpretation and limitations from the specification are not read into the claim.

Claim 13

As concerns claim 13, the applicant argues Reed et al. do not disclose:

tagging a communication to be delivered between the computer systems over the network to form a tagged communication;

and acting on the tagged communication automatically by a database agent.

The Examiner disagrees since Reed et al., at least at paragraphs 0031-0035 and 0090-0094, disclose communications include information such as metadata, data or instructions which is tagging a communication, wherein this communication is delivered over the network. The communication is tagged to include information concerning updated information.

Reed et al, at least at paragraphs 0031-0035 and 0090-0094, also disclose acting on the tagged communication automatically by a database agent, since a program/agent will act on certain messages received automatically (paragraph 0033).

The claims have been given the broadest reasonable interpretation. The appellant appears to be narrowly interpreting the claimed elements and has not further defined the term in the claim, provided evidence of its interpretation and limitations from the specification are not read into the claim.

Claim 14

The appellant argues Reed et al. do not disclose "the tagged communication includes an electronic mail communication". Reed et al. at least at paragraph 0090, discloses the information, including change information, can be transmitted via email. Upon receipt of the information a program/agent operates upon the information. Therefore it is inherent, since it is necessarily so,

that the program is "configured to" determine if the email has a task tag, since it will process the

information when received, and if the information is not in the email, it will not be processed in

the same way, to update the database of change information. The appellant argues Reed et al. at

0090 does not disclose the email being tagged. The appellant is reminded the claims are given

the broadest reasonable interpretation and it is the reference in its entirety that can anticipate the

reference.

Claim 16

The appellant argues Reed et al. at paragraph 0536 do not disclose a tagged

communication including a telephone message converted to electronic communication with the

use of voice-recognition software.

Reed et al. at paragraph 0090 and 0283 discloses a voice-mail message. The claims have

been given the broadest reasonable interpretation. A voice mail message inherently is a telephone

message converted to an electronic communication with voice recognition software. The

appellant appears to be narrowly interpreting the claimed elements and has not further defined

the term in the claim, provided evidence of its interpretation and limitations from the

specification are not read into the claim.

Claim 17

The appellant argues Reed et al. does not disclose "storing the task in the database". The

claims have been given the broadest reasonable interpretation and Reed et al. at least at

paragraph 0032 discloses the program/agent compares the information, which can include a "task

reminder", and compares it to the existing information to determine what has been updated. The updated information is stored in the database. Therefore Reed et al. stores a "task reminder"/information, which has not been given any special meaning, into a database. A "task topic" is already stored in the database since Reed et al. uses this as a comparison for the incoming updated information.

Claim 18

The appellant argues Reed et al. does not disclose "updating information about the task in the database". The claims have been given the broadest reasonable interpretation and Reed et al. at least at paragraph 0032 discloses the program/agent compares the information, which can include a "task reminder", and compares it to the existing information to determine what has been updated. The updated information is stored in the database. Therefore Reed et al. stores a "task reminder"/information, which has not been given any special meaning, into a database. A "task topic" is already stored in the database since Reed et al. uses this as a comparison for the incoming updated information.

Claim 19

The appellant argues Reed et al. does not disclose "generating a report based upon communication tag information stored in the database". Reed et al. at least at paragraph 0137 discloses notification when new objects arrive; paragraph 0164 and 0173 disclose reporting on objects in the database and paragraphs 0408-0412 disclose reports about metadata (0411-metadata can be interpreted as "tag information"; 0412-reporting rules and events). As stated

above the claims have been given the broadest reasonable interpretation and the "tag information" is merely information and the "objects" of Reed et al. correspond with "tag information". Therefore Reed et al. does anticipate the claim since reports and notifications are generated based upon objects/tag information stored in a database.

Claim 20

The appellant argues Reed et al. do not disclose the users are selected from a group consisting of individuals, collaborators, team leaders and managers.

The examiner disagrees. Reed et al. at paragraph 0005 discloses users can be individuals (one-to-one), which is also inherent, collaborators (one-to-many), team leaders (company as leader; and inherent for a workgroup to have a leader) to customers and managers (inherent as members of a workgroup). The absence of the claimed features from a particular passage do not render the reference inadequate from anticipating the claim. It is the reference in its entirety that must be considered.

Claim 21

The appellant argues Reed et al. does not disclose the features of claim 21. The appellant's arguments amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. The appellant further recites features from claim 13, which have been addressed above. The appellant admits on page 22 of the Brief the examiners interpretation of the claim wherein it is inherent for computer programs to produce data

including computer usage. The claim recites the term "or" therefore only one of the computer usage, manufacturing yield or customer purchasing patterns need be satisfied. Since the examiner has interpreted the computer usage as being inherent to Reed et al. and verified by appellant as true, Reed et al. anticipates the claimed limitations.

Claim 22

The appellant argues Reed et al. do not disclose the users are selected from a group consisting of a combination of individuals, collaborators, team leaders and other computer programs.

The examiner disagrees. Reed et al. at paragraph 0005 discloses users can be individuals (one-to-one, more than one individual therefore a combination of individuals), which is also inherent, collaborators (one-to-many), team leaders (company as leader; and inherent for a workgroup to have a leader) to customers and other computer programs (inherent as members of a workgroup). The absence of the claimed features from a particular passage do not render the reference inadequate from anticipating the claim. It is the reference in its entirety that must be considered.

Claim 23

The appellant argues Reed et al. disclose the importance of the "task" on the "tag" being set and negotiated by the users as claimed. The examiner disagrees. Reed et al. disclose preference values that can be edited. Also the creation of the preference values is inherent to the "task" on the "tag" of being set by a user. The system supports multiple users (see paragraph

0005) thus it is inherent this feature can be accomplished by users. The term "negotiated" has not

been defined within the claim, no evidence has provided of its interpretation and limitations from

the specification are not read into the claim. The term "negotiated" appears to be redundant to

the term "setting" since the user when setting the preference value is "negotiating" the terms of

the value within the confines of the system and must make a choice from all possible "preference

values" that could be set. The claims have been given the broadest reasonable interpretation and

therefore Reed et al. does disclose a users setting and negotiating the task tag. The interpretation

of the claimed "task tag" has been addressed in the above claims. The appellant appears to be

narrowly interpreting the claimed elements and has not further defined the term in the claim,

provided evidence of its interpretation and limitations from the specification are not read into the

claim.

Claim 24

The appellant argues the disclosure of time intervals is not disclosure of a time duration

of a task on the tag being set and negotiated by the users. The appellant appears to be narrowly

interpreting the claimed elements and has not further defined the term in the claim, provided

evidence of its interpretation and limitations from the specification are not read into the claim.

The claims have been given the broadest reasonable interpretation and Reed et al. disclose at

paragraph 0128 conditions being based on time; paragraph 0140 disclose scheduling events from

a set time; paragraph 0174 discloses setting of a date and time parameter for distribution;

paragraph 0186 discloses setting acknowledgment interval; and paragraph 0198 disclose an

object having the attribute of an expiration date. The above disclosures satisfy the claimed

feature of a "time duration" given the broadest reasonable interpretation and thus Reed et al.

anticipate the claim.

Claim 25

The appellant argues paragraph 0520 does not disclose merging communications from

various tasks into one communication for a single task. The examiner disagrees since the claims

are given the broadest reasonable interpretation, Reed et al. at paragraph 0522 discloses a user

editing an object in a multi-user database. Thus multiple users, perform various tasks (i.e.

editing), and these various updates/edits are merged into a single new/updated object. This

new/updated single object can then be distributed to all users/recipients.

Claim 26

The appellant argues Reed et al. does not disclose separating communications from one

task into several communications for separate tasks. Reed et al. at paragraph 0535 disclose

schedule objects can be nested wherein an object can contain multiple component objects. Reed

et al. at paragraph 0539 at p. 76 further disclose the consumer program executing a scheduling

method on the objects. Thus since an object can be nested with multiple objects they need to be

separated so that each can be checked when tested.

Claim 27

The appellant argues the paragraphs cited in Reed et al. do not disclose monitoring a task

deadline and being proactive in sending communication to humans and computers participating

in the task. The appellant has merely recited the cited paragraphs of the reference and the

limitations of the claims. The appellant has not provided evidence or distinguished how the

claimed invention differs from the complete disclosure of Reed et al. The claims have been given

the broadest reasonable interpretation and Reed et al. at least at paragraph 0534 disclose schedule

events must be communicated to everyone in order for the group to function (i.e. communicate

effectively). Thus a scheduled event is a deadline and the schedule objects are executed. The

changes to schedule objects are transmitted to all consumers, thus the system is being

"proactive" and Reed et al. further discloses the system comprises notification control.

Claim 28

The appellant argues Reed et al. do not disclose tag properties on the communication

include time to task completion, task progress, task topic, reminder interval and collaborator

type. Reed et al. at paragraph 0394 disclose event tracking; paragraphs 0109-0110 and 0113-

0114 disclose type definitions and composite types which corresponds with "collaborator type";

paragraph 0117-0118 disclose refresh interval and notification element which correspond with

"reminder interval"; paragraph 0198 disclose a preference element comprising expiration date

which can correspond with "task completion" and "task progress", since the expiration date will

infer a completion and progress; paragraph 0198 disclose an element can comprise nickname

which can correspond with "task topic". The claims have been given the broadest reasonable

interpretation and the tag properties of the communication appear to be somewhat arbitrary since

they do not set forth any further functions for limiting the operations of the claimed invention.

Reed et al. discloses objects, wherein a user can edit the preferences/properties for a

communication (paragraph 0200).

Claim 29

The appellant argues Reed et al. does not disclose the choices for tagging the

communication include a tag property of a task progress which selected from a group consisting

of previous, new, in-progress, complete, other. Reed et al. at paragraph 0119 disclose tagging the

communication with a property tag of a version value. This would inherently consist of previous,

new, in-progress, complete and other based on the version value.

Claim 30

The appellant argues Reed et al. does not disclose the tag property of a collaborator type.

Reed et al. at least at paragraph 0119 disclose a tag property comprising "name". This

would inherently cover an individual, collaborator, team leader, manager, senior manager, vice-

president, CEO, CIO and contractor, who all would have a name.

Claim 31

The appellant argues Reed et al. do not disclose "permissions may be associated with the

task restricting viewing of the task only to users with the appropriate access credentials." The

term "may be" does not positively set forth the limitations being claimed, thus the limitations

need not be disclosed by the prior art reference. Even if the limitations were positively recited,

Reed et al. does disclose permissions to restrict viewing to users with appropriate credentials as

set forth in paragraph 0357. The inclusion that the viewing is done using a web or hypermedia, as argued by appellant, is irrelevant, since the claim does not further define how the viewing is accomplished, thus any type of viewing is appropriate. The user of Reed et al. is able to accomplish the viewing of "tasks", objects of the communication object system, after granted permission via a password and userID.

Claim 32

The appellant argues Reed et al. do not disclose tagging a communication comprises adding deliverable project information and task information to the communication. The terms "deliverable/project" and "task" are merely labels for information (i.e. data). The claims do not set forth functionally how this data interacts or affects the claimed invention and limitations from the specification are not read into the claim. Reed et al. at paragraph 0091 discloses including a "provider's telephone number" which corresponds with "project" information, since a group of users working on the project, doing business with, would have a means of contact. "Reed et al. at least at paragraph 0090, discloses the information, including change information, which corresponds with a "task".

Claim 33

As concerns claim 33, the appellant argues Reed et al. do not disclose a communication system configured to attach a task tag to a communication;

and a tracking system separate from a communication sending computer and a

communication receiving computer which is configured to automatically enter predetermined

information of the task tag of the communication into a database.

The Examiner disagrees since Reed et al., at least at paragraphs 0031-0035 and 0090-

0094, creating communications that include metadata, data, objects or instructions that "tag" the

communication with updated information.

Reed et al., at least at paragraph 0032, disclose the program will store updated

information in the database when received. Paragraph 0090 disclose the consumer program

storing the updated information in the database and the information also controls

communications.

The claims have been given the broadest reasonable interpretation. The appellant appears

to be narrowly interpreting the claimed elements and has not further defined the term in the

claim, provided evidence of its interpretation and limitations from the specification are not read

into the claim.

Claim 34

As concerns claim 34, the appellant argues Reed et al. does not disclose:

    attaching a task tag to the communication;

    recording, by an automatic database agent, at least a portion of data in the task tag

into a database;

    and automatically sending a communication by the automatic database agent

based, at least partially, on the data in the task tag.

The Examiner disagrees since Reed et al. disclose, at least at paragraphs 0031-0035 and

0090-0094, creating communications that include metadata, data, objects or instructions that

"tag" the communication with updated information.

Reed et al., at least at paragraph 0031-0035 and 0090-0094, disclose the program will

store updated information in the database when received. This updated information is received in

a communication that is "tagged" with the updated information as data, metadata, object, or

instructions. Paragraph 0090 disclose the consumer program storing the updated information in

the database and the information also controls communications.

Reed et al., at least at paragraph 0032, disclose notify a user of updated information and

generate responses. Paragraph 0090 disclose the consumer program storing the updated

information in the database and the information also controls communications.

The claims have been given the broadest reasonable interpretation. The appellant appears

to be narrowly interpreting the claimed elements and has not further defined the term in the

claim, provided evidence of its interpretation and limitations from the specification are not read

into the claim.

Claim 35

As concerns claim 35, the appellant argues Reed et al. do not disclose a task tag, or a

task tag comprising a task topic and task progress.

The Examiner disagrees since Reed et al., at least at paragraph 0181, disclose the

communication includes objects having methods and rules that are associated with a page,

element or type definition. This information is transmitted in the communication and related to a

"topic" such as updating. Furthermore, paragraph 0182 discloses flag attributes with the communication that are related to the "progress" of the update.

Claim 36

As concerns claim 36, the appellant argues Reed et al. do not disclose a task tag, or a task tag comprising a task topic and task progress.

The Examiner disagrees since Reed et al., at least at paragraph 0181, disclose the communication includes objects having methods and rules that are associated with a page, element or type definition. This information is transmitted in the communication and related to a "topic" such as updating. Furthermore, paragraph 0182 discloses flag attributes with the communication that are related to the "progress" of the update.

The claims have been given the broadest reasonable interpretation. The appellant appears to be narrowly interpreting the claimed elements and has not further defined the term in the claim, provided evidence of its interpretation and limitations from the specification are not read into the claim.

Claim 15

The appellant does not argue the disclosure of Wolton et al. or the modification of Reed et al. with Wolton et al. The appellant repeats the arguments of independent claim 13, which have been addressed above.

The Examiner has given the claims the broadest reasonable interpretation and the appellant appears to be narrowly interpreting the claimed elements and has not further defined the term in the claim or provided evidence of its interpretation. Furthermore, the limitations from the specification are not read into the claim. The disclosure of Reed et al. and Reed et al in view of Wolton et al. disclose the applicant's claimed invention.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

John B. Walsh

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